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17 *Attorneys for Defendant: Otto Trucking LLC*

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN FRANCISCO DIVISION**

21 WAYMO LLC,
22 Plaintiff,
23 v.
24 UBER TECHNOLOGIES, INC.,
25 OTTOMOTTO LLC; OTTO TRUCKING
26 LLC,
27 Defendants.

28 Case No. 3:17-cv-00939-WHA

**DECLARATION OF NEEL CHATTERJEE
IN SUPPORT OF DEFENDANT OTTO
TRUCKING'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF PORTIONS OF
DEFENDANTS' MOTION IN LIMINE
NO. 26**

Courtroom: F-15th Floor
Magistrate Judge: Hon. Jacqueline Scott Corley
Trial: October 10, 2017
Filed/Lodged Concurrently with:
1. Admin. Mtn. to File Documents Under Seal
2. [Proposed] Order
3. Redacted/Unredacted Versions
4. Proof of Service

1 I, Neel Chatterjee, declare as follows:

2 1. I am an attorney at the law firm of Goodwin Procter LLP, counsel of record for
 3 Defendant Otto Trucking LLC (“Otto Trucking”). I make this declaration based upon matters
 4 within my own personal knowledge and if called as a witness, I could and would competently
 5 testify to the matters set forth herein. I make this declaration in support of Defendant Otto
 6 Trucking’s Administrative Motion to File Under Seal Portions of Defendants’ Motion in Limine
 7 No. 26 (the “Administrative Motion”).

8 2. I have reviewed the following documents and confirmed that only the portions
 9 identified below merit provisional sealing:

10	11 Document	12 Portions to Be Filed Under 13 Seal	14 Parties Claiming 15 Confidentiality
12	13 Defendants’ Motion in Limine No. 26	14 Highlighted Portions	15 Waymo LLC
13	14 Exhibit 1 to Vu Declaration – 15 Document Bates-stamped WAYMO- 16 UBER-00086885 – 00086892	17 Highlighted Portions	18 Waymo LLC
14	15 Exhibit 2 to Vu Declaration – 16 Document Bates-stamped WAYMO- 17 UBER-00084492 – 00084505	18 Entire Document	19 Waymo LLC
15	16 Exhibit 3 to Vu Declaration – 17 Document Bates-stamped WAYMO- 18 UBER-00084484 – 00084491	19 Highlighted Portions	20 Waymo LLC
16	17 Exhibit 4 to Vu Declaration – 18 Document Bates-stamped WAYMO- 19 UBER-00086932 – 00086939	20 Entire Document	21 Waymo LLC
17	18 Exhibit 5 to Vu Declaration – 19 Document Bates-stamped WAYMO- 20 UBER-00086907 – 00086917	21 Entire Document	22 Waymo LLC
18	19 Exhibit 6 to Vu Declaration – 20 Document Bates-stamped WAYMO- 21 UBER-00086800 – 00086808	22 Entire Document	23 Waymo LLC
19	20 Exhibit 7 to Vu Declaration – 21 Excerpts of Deposition Transcript of 22 Alexander (Sasha) Zbrozek dated 23 September 6, 2017	24 Entire Document	25 Waymo LLC

Exhibit 8 to Vu Declaration – Excerpts of Deposition Transcript of Gary Brown dated August 8, 2017	Entire Document	Waymo LLC
Exhibit 9 to Vu Declaration – Excerpts of Deposition Transcript of Michael Murray Janosko dated August 25, 2017	Entire Document	Waymo LLC
Exhibit 10 to Vu Declaration – Email from Jeff Nardinelli dated July 18, 2017, 9:40 P.M.	Entire Document	Waymo LLC

3. The highlighted portions of Defendants' Motion in Limine No. 26, the highlighted portions of Exhibits 1 and 3 to the Vu Declaration, and the entirety of Exhibits 2, 3, 4, 5, 6, 7, 8, 9, and 10 to the Vu Declaration contain information that Plaintiff Waymo LLC ("Waymo") has designated "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to the Protective Order in this case. Otto Trucking states no position about whether the confidentiality designations are appropriate.

4. Otto Trucking anticipates that Waymo will file any necessary declarations to seal the above information pursuant to Local Rule 79-5.

5. Otto Trucking's request to seal is narrowly tailored to those portions of Defendants' Motion in Limine No. 26 and its supporting documents that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 13th day of September, 2017 in Menlo Park, California.

/s/ *Neel Chatterjee*
NEEL CHATTERJEE

1 **PROOF OF SERVICE**

2 I hereby certify that I electronically filed the foregoing document including all of its
3 attachments with the Clerk of the Court for the United States District Court for the Northern
4 District of California by using the CM/ECF system on **September 13, 2017**. I further certify
5 that all participants in the case are registered CM/ECF users and that service of the publicly filed
6 documents will be accomplished by the CM/ECF system.

7 I certify under penalty of perjury that the foregoing is true and correct. Executed on
8 **September 13, 2017**.

9 /s/ *Neel Chatterjee*
10 NEEL CHATTERJEE

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